

-against-                      Plaintiffs,                      **ANSWER TO  
COUNTERCLAIMS**

Defendants.

1. Admit the allegations in paragraphs 193 and 215
2. Deny the allegations in paragraphs 194, 201, 202, 203, 204, 211, 212, 213, 214, 216, 217, 218, 219, 220, 221, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 242, 243, 244, 245 and 248.
3. Deny information and belief sufficient to respond to paragraphs 195, 196, 197, 198, 199, 200, 205, 206, 207, 208, 209, 210, 222, 223, 236, 237, 238, 239, 240, 241, 246, and 247.
4. Deny para. 250-262 and the prayer for relief.

**As and for a FIRST AFFIRMATIVE DEFENSE**

Defendants lack standing to assert any Fair Housing Act complaint as none is in any way aggrieved or denied housing opportunities by any of the alleged acts set forth in the counterclaim.

**As and for a SECOND AFFIRMATIVE DEFENSE**

Defendants' first and second counterclaims fail to state a claim against any of the plaintiffs and, in fact, do not mention any of the plaintiffs with the exception of Stern, Kraus and Isaac Schwimmer.

**As and for a THIRD AFFIRMATIVE DEFENSE**

Defendants' first and second counterclaims are frivolous as a matter of law and brought to vex and harass the plaintiffs.

**As and for a FOURTH AFFIRMATIVE DEFENSE**

Defendants have not alleged any compensable injury.


**As and for a FIFTH AFFIRMATIVE DEFENSE**

Defendants' counterclaims nowhere set forth the basis for any claim assertable under the Fair Housing Act, nowhere claim that any of the plaintiffs have failed or refused to rent or sell property they own or control to defendants or have blocked in any way or burdened defendants' exercise of any right protected by the Fair Housing Act on any impermissible basis.

WHEREFORE, the counterclaims should be dismissed and the Court should assess the attorneys' fees and costs incurred in defending against these frivolous claims against the defendants' and their counsel.

Dated: August 23, 2018

Respectfully submitted,

  
MICHAEL H. SUSSMAN [3497]

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